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Entered on Docket
December 18, 2009

Hon. Linda B. Riegle
United States Bankruptcy Judge

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Electronically Filed on _____

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America's Servicing Company
09-77455

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

In Re:

Jose Fabela and Susan Marie Fabela

Debtors.

BK-S-09-29895-lbr

Date: 11/23/2009
Time: 10:30 A.M.

Chapter 7

ORDER VACATING AUTOMATIC STAY

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the Automatic Stay in the above-entitled bankruptcy proceedings is immediately vacated and extinguished for all purposes as to Secured Creditor America's Servicing Company, its assignees and/or successors in interest, of the subject property, generally described as 1404 Lodgepole Dr, Henderson, NV 89014, and legally described as follows:

Parcel I:

Lot 37 in Blcok 1 of WHITNEY RANCH EAST UNIT 6, as shown by map thereof on file in Book 46, of Plats. Page 4 in the Office of the County Recorder of Clark County, Nevada.

Parcel II:

Those easements granted for the benefit of Grantee (in his capacity as an "Owner") in, and created by that certain Master Declaration of Covenants, Conditions and Restrictions and Grant and Reservation of Easements for the Whitney Ranch (the "Declaration") dated December 8, 1988, and recorded on December 14, 1988, as Document No. 00334 in Book 881214 of Official Records in the Office of the County Recorder of Clark County, Nevada.

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2 IT IS FURTHER ORDERED, ADJUDGED and DECREED that the Secured Creditor shall
3 give Debtors at least five business days' notice of the time, place and date of sale.
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DATED this 8th day of December 2009

5 Submitted by:

6 ~~WILDE & ASSOCIATES~~

7 By: s/Gregory L. Wilde, Esq.
8 **Gregory L. Wilde, Esq.**
9 Attorney for Secured Creditor
208 South Jones Boulevard
Las Vegas, Nevada 89107

10 APPROVED / DISAPPROVED

11 By: _____
12 Shawn Christopher
13 2625 N. Green Valley Pkwy.
#110
14 Henderson, NV 89014
15 Attorney for Debtor(s)

16 Nevada Bar No: _____

17 APPROVED / DISAPPROVED

18 By: _____
19 Timothy S. Cory
8831 West Sahara Ave.
20 Las Vegas, NV 89117
Chapter 7 Trustee

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1 ALTERNATIVE METHOD RE: LOCAL RULE 9021:

2 In accordance with Local Rule 9021, the undersigned counsel certifies as follows (check one):

3 The court waived the requirements of LR 9021.

4 No parties appeared or filed written objections, and there is no trustee appointed in the case.

5 I have delivered a copy of this proposed order to all counsel who appeared at the hearing, any
6 unrepresented parties who appeared at the hearing, and any trustee appointed in this case,
and each has approved or disapproved the order, or failed to respond, as indicated below
(list each party and whether the party has approved, disapproved, or failed to respond to the
document):

7 (List Parties)

8 Debtor's counsel:

9 approved the form of this order disapproved the form of this order

10 waived the right to review the order and/or failed to respond to the document

11 appeared at the hearing, waived the right to review the order

12 matter unopposed, did not appear at the hearing, waived the right to review the order

13 Trustee:

14 approved the form of this order disapproved the form of this order

15 waived the right to review the order and/or failed to respond to the document

16 Other Party:

17 approved the form of this order disapproved the form of this order

18 waived the right to review the order and/or failed to respond to the document

19 Breach Order:

20 This is an Order Vacating the Stay after the Failure to cure a Declaration of Breach. Copies of
21 this proposed order were transmitted to Debtor's counsel and appointed trustee to which
22 they have not replied

24 Submitted by:

25 /s/ Gregory L. Wilde, Esq.

26 Gregory L. Wilde, Esq.

Attorney for Secured Creditor